THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION NO. 5195 of 2006

DATED: 17-03-2006

Between:

D.Maisaiah,S/o.Lakshmaiah

And two others …Petitioners

and

The Mandal Revenue Officer,

Serilingampally Mandal,

R.R.District and two others … Respondents

THE HONOURABLE SRI JUSTICE V. ESWARAIAH

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WRIT PETITION NO. 5195 of 2006

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ORDER:

Seeking to declare the action of the respondent No.1 in trying to dispossess the petitioners from the lands in S.No.136 to an extent of 120 sq. yards each situated at Gachibowli village, Serilingampalli Mandal, R.R. District as illegal and arbitrary, petitioners filed this present writ petition.

Heard the learned counsel for the petitioners and the learned Government Pleader appearing for the respondents and perused the material on record.

It is the case of the petitioners that each of them have been allotted house sites admeasuring 120 square yards bearing plot Nos.14, 28 and 29 in Survey No.136 of

Gutchibowli village, Serilingampalli Mandal, R.R. District by various proceedings by the Revenue Divisional Officer, Chevella Division.

I am not inclined to express any opinion with regard to the genuineness or otherwise of the said assignment of house sites. But, it is the case of the petitioners, that they have constructed houses in the said plots as per the terms and conditions of A.P. Assigned lands (Prohibition of Transfers) Act, 1977(for short 'the Act') and that they have not violated any of the provisions stipulated under the Act.

It is also stated that if there is any violation of the terms and conditions or transfer of the said lands contrary to the provisions of the Act, it is always open to the 1st respondent to take appropriate action by issuing notices to the petitioners as per the procedure prescribed under law.

Having regard to the facts and circumstances of the case, the writ petition is disposed of and the first respondent is directed not to dispossess the petitioners or interferes with their possession and enjoyment of their respective plots without following due procedure prescribed under law. No costs.

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V. ESWARAIAH, J.

Dated: 17-03-2006

Note:

Issue C.C. by tomorrow.

(B/O)

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